

**REPORT TO THE
TWENTY-FIFTH LEGISLATURE
STATE OF HAWAII
2010**

Sanitation Branch Annual Audit

**Pursuant to Chapter 321-27.5, Hawaii Revised Statutes,
requesting the Department of Health to submit an annual
audit report of the Sanitation Branch**

**PREPARED BY:
DEPARTMENT OF HEALTH
STATE OF HAWAII**

December 11, 2009

SANITATION BRANCH ACTIVITIES AND FINANCES DURING FY 2009

The Sanitation Branch is one of the core programs of public health that affects the broadest range of health-related activities. Its programs are established by statutes and administrative rules as statewide programs. This report provides a broad overview of the functional role and activities of the Sanitation Branch, as required under Section 321-27.5, Hawaii Revised Statutes, that states, "The Department shall perform annual audits of the sanitation branch to be completed by November 30 of each year, and shall include an audit of:

- 1) Fees collected;
- 2) The number and results of sanitation inspections;
- 3) The number of training seminars held; and
- 4) The cost of training personnel in the sanitation branch."

This report covers more than these items to look at some major sanitation issues in Hawaii.

The function of the Sanitation Branch is to promote and maintain a sanitary and healthful environment for the people and visitors of Hawaii by implementing legally required programs for:

- 1) Food protection;
- 2) Assessing and assuring that hospitals and medical facilities meet sanitation requirements;
- 3) Inspection of tenement houses, lodging houses, boarding houses, and hotels;
- 4) Licensing of tattoo artists and embalmers; and
- 5) Regulating barber shops, beauty parlors, massage parlors, tattoo shops, mortuaries, public swimming pools, and public laundries.

The Sanitation Branch focuses on its food protection program which has evolved into a complex program focusing on public health practices through education, partnerships, prevention, assessment and compliance.

Food is a significant element of Hawaii's multi-ethnic culture and is a principal attraction for visitors to Hawaii. Food contamination presents the greatest risk to public health. The Sanitation Branch protects residents and visitors from exposure to food borne illnesses by conducting inspections and assessments of food service establishments to ensure that the food they serve is safe to eat. Inspections are discussed later in this report. The branch also issues permits to restaurants and other food establishments, which total about 9,000 state-wide.

In addition, the branch promotes food protection through education. The Food Safety Consultation and Education Program plays a vital role in preventing food borne illnesses by developing and implementing food safety surveillance and control plans, and conducting educational activities to assist the food service industry and food handlers.

The branch faces a major challenge in adequately handling food protection. The branch ratio of food establishments to inspectors (Oahu, Maui, Kauai and Hawaii) far exceeds the Food and Drug Administration's (FDA's) recommendations of 150 food establishments per inspector. Oahu and Maui's average ratio is 490 food establishments per sanitarian. This means that the Oahu branch can only inspect a food establishment about once every 24-30 months. The Big Isle reports that they inspections about every 12 months, Kauai is at 24 months, and Maui is at 12-24 months.

Staff training also is a significant element for maximizing efficiency and effectiveness of staff in order to satisfy program performance objectives. Mechanisms to provide on-going education continue as the branch updates and cross trains staff in order to keep up with technological and organizational changes.

FEES COLLECTED

Under Section 321-11.5, HRS, the Department collects fees for permits, licenses, inspections, various certificates, variances and investigations and reviews. These fees are deposited into the Environmental Health Education Fund under Section 321-27(a), HRS that supports training for the Environmental Health Services Division staff and food establishment personnel; as well as provides educational outreach to the general public regarding food safety. Revenues from fees collected for fiscal year 2009 and deposited into the fund totaled \$611,143. 44. HRS 321-27(c) specifies that any amount in the excess of \$300,000 on June 30 of each year shall be deposited into the general fund. The Department reports separately on HRS 321-27.

NUMBER AND RESULTS OF SANITATION FOOD INSPECTIONS

The Sanitation Branch permits 8,976 food establishments statewide. This past fiscal year the branch conducted 9,870 food establishment inspections and identified 12,252 violations. On Oahu there were 7,260 inspections and identified 7,538 violations of which 3,644 were major violations. Of the 9,870 food establishments inspected state-wide, 1,206 of these inspections pertained to complaints, of which 240 were food-borne illness complaints.

Major violations include improper employee hygiene, temperatures, storage, and handling. For examples, there are violations for employees not washing hands after using the restroom, or having open cuts and sores on their hands. They also include temperature violations such as warm refrigerators, cold hot holding units, chicken and pork being served bloody and undercooked. Contaminated, rotten, or spoiled foods on premises, ready to eat foods stored below raw foods dripping with raw blood and juices, cutting boards used for raw and cooked foods, fruits and salads prepared with unclean cutting boards, knives, or cooks hands are also major violations.

CHALLENGES AND STRATEGIES FOR FOOD SAFETY

The branch conducts extensive informal food safety education in addition to inspections. Food safety education is not required to operate a food establishment in the State of Hawaii,

therefore restaurant operators rely very heavily on the education provided by the direct contact with our field inspectors. The Sanitation Branch relies heavily on the initial inspection of a new food establishment to educate the owners and managers on the importance of complying with our administrative rules to eliminate all major violations that are food-borne illness risk factors and keep the people of Hawaii healthy. After that initial inspection and a follow up inspection when the establishment is fully operational, most food establishments will not see the sanitarian for another two years.

Maintaining food establishment staff educated in food safety is a huge challenge. The food industry in Hawaii has one of the highest turnovers of employees in the state when compared with other industries. Additionally, most positions in the food establishment from owner to general manager to chef to food prep workers to dishwashers averages changes every two years or so, thus negating any food safety knowledge or reinforcement of the rules during that period by the Department of Health.

The Statewide Sanitation program has sought and achieved tremendous internal improvements in the past five years from having no standards of inspection and program quality or consistency for inspections, enforcement and education, to having a fully standardized staff, explicit, consistent and documented, protocol in all areas, a uniform statewide food safety education program, and a voluntary FDA pilot project on the Big Island to obtain listing as a successful participant in the voluntary Food Standards program.

The program has also increased the use of language neutral handouts on hand washing and temperature controls during food inspections (both are major contributors to food borne illnesses), and have even handed out thermometers to new and existing food establishments as part of our routine inspections along with demonstrating how to properly calibrate the thermometer before use.

The branch is focusing on reducing major violations at food establishments. This follows the best practices used in numerous jurisdictions across the United States. The current rate of major violations, the key food borne illness risk factors, is at least 40% and as high as 80% of food establishments in certain geographical areas. The occurrence of major violations can be reduced below 20% of establishments inspected if the following is done:

- 1) The food regulatory program is able to identify high, medium and low risk food establishments to prioritize inspection frequencies and maximize staff efficiency. The level of risk is based on the complexity and potential risk of the foods served and how they are prepared within the establishment;
- 2) The program standardizes the inspections by requiring explicit documentation on all three risk categories of food establishments in order to document the observations of critical operations within the establishment. (food borne illness risk factors such as proper food cooking and holding temperatures, personal hygiene practices by employees, cross contamination issues, etc.); and finally;

- 3) The program inspects high risk establishments three to four times annually, medium risk establishments at least twice a year and low risk establishments annually.

The statewide sanitation program has completed 1) and 2) above, along with the other numerous other program improvements mentioned.

There are other possible measures, such as mandatory food safety education and the posting of placards at establishments with major violations. Mandatory education will require resources for the provision of food safety trainers, for food establishments staff to take the training, and to track whether food establishment have trained staff on duty. Other U.S. jurisdictions were able to implement a very effective, high profile and successful win-win placard system with the food industry while protecting public health when the jurisdiction committed to proper staffing to allow high risk food establishments to be inspected at least three times annually. This enables establishments with unfavorable placards to be re-inspected in a timely manner so they can demonstrate their return to compliance.

TRAINING FOR INDUSTRY & PUBLIC

The branch retains its current voluntary educational approach to inform the public of proper food safety practices and motivate food establishment operators toward compliance with applicable standards and regulations. In this regard, it is recognized that compliance with rules, not enforcement per se, is the primary objective of the Sanitation Branch. Wide dissemination of information concerning the technical and scientific basis for the program's regulatory requirements should contribute to a clearer understanding of the necessity for compliance. Education is always continuous, especially in areas where technology is constantly evolving, as in the case of food science. An informed public with a clear understanding of the public health rationale of program functions and corresponding regulatory requirements is a fundamental goal in assuring that potential environmental health problems are identified and resolved before actual illness, injury or fatality occurs. This educational philosophy has evolved in part due to Hawaii's high food establishment to sanitarian ratio.

For fiscal year 2009, the Food Safety Consultation and Education Program provided the following:

	FY '08	FY '09
Food Certification Workshops:	36	74
Student Attendance:	733	599
Students Certified:	655	514
Food Safety Classes	66	74
Student Attendance:	1,303	2,455

Food Certification Workshops are 16 hour (2 days) classes that deal with the principles of food safety and protection as it pertains to HAR 11-12 Food Establishment Sanitation. Successful completion of the workshop and examination results in the issuance of a Hawaii

Department of Health Food Handler's Certificate. This certificate is the equivalent of education typically required for food handlers in states and counties that mandate food safety training for all food handlers within their jurisdictions.

Food Safety Classes are customizable classes that can range from one or more hours to address specific needs or problems of the requester. For example, if a food establishment has a problem with employee hygienic practices two to three hour classes concentrating on proper hygienic practices complete with hands on demonstrations and participation could be provided. No certificates are issued for these classes.

The sanitation branch has expanded its community education outreach program to include participation in public events such school health fairs, county and farm fairs. At these events the branch has increased their public presence by distributing food safety informational handouts, hand washing information and program contact information.

With the threat of the H1N1 flu virus the branch has stepped up its hand wash education program aptly called "The Germ City Hand Washing Team". The team consists of sanitarians and clerical staffers that volunteer to go out to schools to conduct "hands on" hand washing demonstrations while having the attending students and teachers actively participate in an interactive hand washing class. A non toxic chemical is used to simulate dirt and bacteria and after a thorough hand wash and drying the hands are subjected to a black light scan to visually show the students the thoroughness of their hand washing efforts. The team has been very successful and has been recognized in 2009 by the National Environmental Health Association (NEHA) which asked for a representative from the branch to give a brief talk about the program at its conference in Atlanta, GA.

In FY09 the Germ City Team visited seven schools to demonstrate proper hand washing. The branch has participated in three county fairs and six health fairs statewide. Since the programs inception in September 2008, the Sanitation Branch has instructed over 2850 elementary school students and 360 adults in proper hand-washing technique.

TRAINING FOR BRANCH PERSONNEL

In addition to on-going workshops conducted by the Food Safety Consultation and Education Program, the following are highlights of personnel training for fiscal year 2009:

- 1) The Program Manager attended the FDA Pacific Regional Retail Food Seminar in Seattle, Washington August 11- 15, 2008 to discuss food safety issues and trends within their respective states and to share their successes and failures in the implementation of their food safety programs. The seminar provided an opportunity for the program managers to meet and work with FDA to better the communication between the states and especially FDA staff themselves.
- 2) A Sanitarian whose main responsibilities are regulating the milk industry in Hawaii attended the National Conference for Interstate Milk Shippers (NCIMS) in Orlando,

Florida, April 15, 2009 to April 23, 2009. Hawaii is an active participant in this national conference and the attending sanitarian is a voting delegate that participates in discussions and proceedings related to issues of food protection and safety. Measures that the delegates adopt are reflected in adoption or amendments of regulations in Federal Pasteurized Milk Ordinance (PMO).

- 3) Hawaii's participation in the NCIMS is necessary for local milk processors to sell milk to the military or interstate businesses such as airlines and cruise ships.
- 4) A Registered Sanitarian attended the 2009 Institute of Food Technologist conference in Anaheim, California on June 6– 9, 2009. This conference provided a better insight of how industry has progressed in terms of food science and technology. The conference provided an insight to the recent and past national recalls of fresh produce, canned goods and other consumer goods and how technology helped and hindered the recalled products.
- 5) Three Sanitarians attended the National Environmental Health Association conference and workshops in Atlanta, Georgia on June 19 - 25, 2009. This conference broadly covers the most current issues relating to environmental health and safety. Two of the sanitarians are from the state's food handler's education program and the other sanitarian provides services to the medical facilities including hospitals, care homes and special treatment facilities.

COST OF TRAINING BRANCH PERSONNEL

The cost for branch personnel training is \$14,043.63.

CLOSING REMARKS

Despite continued efforts and progress in improving the overall quality and safety of foods produced in this country, food borne illnesses remain a serious national public health problem. This past year pathogenic E. coli, Norovirus and Salmonellosis contamination of food continued to find its way to the news headlines nationally. The CDC has consistently stated that food borne illnesses accounts for nearly 5,000 deaths annually in the United States and billions of dollars annually in lost productivity and the cost of medical care for the ill.

The Sanitation program directly affects nearly all residents and visitors to Hawaii. Any person in Hawaii who frequents the 9,000 food eateries, markets, and liquor establishments or any other food sales or distributions that the Sanitation Branch inspects and permits is directly affected by our regulatory food safety program.

Continued vigilance in protecting the public from food borne illnesses is a vital function of the Sanitation Branch. Current resources are dedicated toward support of program activities, personnel enhancement, and technology infrastructure advancements. We will continue our efforts to prudently use current resources to protect public health.

